
STATE OF INDIANA

DEPARTMENT OF LOCAL GOVERNMENT FINANCE



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Continuing Education Article- Amending Your Personal Property Tax Return February, 2003

The Indiana General Assembly has changed the way that taxpayers can amend their personal property tax returns with the passage of House Enrolled Act No. 1499 during their spring of 2001 session.

To appreciate these changes, one must understand the history of how changes were made in the past. For example if a taxpayer failed to claim an inventory exemption on his/her original return, the exemption was lost forever. Now with the passage of HEA 1499, a taxpayer may claim any adjustment or exemption that would have been allowable on the original personal property tax return.

Here are the guidelines that the taxpayer will need to understand and follow when filing an amended return (see IC 6-1.1-3-7.5):

- Deadlines for filing an amended return are (a) November 15th for a return that was filed without an extension or (b) six months from the date the original return was due with the maximum 30 day extension (this date can be no later than December 14th).
- If the amended return is filed after July 15th, the taxpayer shall pay taxes based on the taxpayer's original personal property tax return. A credit will then be applied against the taxpayer's taxes the following year. The taxpayer is not entitled to interest on the refund. (Note: The county auditor may refund a credit earlier, if the county auditor determines that it would not create financial problems for the county.)
- The taxpayer should obtain blank tax forms from the county or township assessor and write "AMENDED RETURN" in the center and at the top of each form used.
- A taxpayer is allowed to amend an original personal property tax return only once in any given year.

Page Two
Amending Your Personal Property Tax Return
February, 2003

- Examples of situations where the filing of an amended return would be appropriate would include: correcting double assessments, correcting mathematical errors, and correcting or claiming any adjustments, deductions, or exemptions. But keep in mind; the amended return can be used for any change in assessment.
- It is important to understand that taxpayers have the right to amend their original personal property return. An original personal property tax return is one that has been filed in a timely manner with the correct assessing official. If a taxpayer fails to file a timely return, they are not allowed to file an amended return. The amended return should be filed with the appropriate township assessor. Upon receipt of an amended return, the Township Assessor must report the new assessed value to the County Auditor on Form 122. If the Township Assessor finds that the amended return contains errors or is questionable, the assessor must make a change and give notice to the taxpayer on the Form 113/PP within four months of the filing date of the amended return. (IC 6-1.1-16-1)
- As a result of the changes made through HEA 1499, the filing of an amended return within the six (6) month window is the only remedy to correcting a personal property tax assessment. (IC 6-1.1-15-12(g))